

AO 91 (Rev 8/01) Criminal Complaint

United States Courts
Southern District of Texas

United States District Court

FILED

May 18, 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Mauricio Osvaldo Montecino-Ayala

CRIMINAL COMPLAINT

Case Number: M-19-1145-M

IAE YOB: 1971

El Salvador

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about May 17, 2019 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to El Salvador in pursuance of law, and thereafter was found near Roma, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Mauricio Osvaldo Montecino-Ayala was encountered by Border Patrol Agents near Roma, Texas on May 17, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on May 17, 2019, near Roma, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on March 01, 2019 through Houston, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On October 14, 2010, the defendant was convicted of Theft of Property greater than or equal to \$20K less than \$100K and sentenced to ten (10) years probation.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on May 18, 2019.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P. 4.1, and probable cause found on:

@ 2:59 PM

May 18, 2019

/s/ Nicolas Cantu, Jr.

Signature of Complainant

Nicolas Cantu, Jr. Border Patrol Agent

Signature of Judicial Officer

J Scott Hacker

, U.S. Magistrate Judge

Name and Title of Judicial Officer